

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

UNITED STATES OF AMERICA,

VS.

NO. 5:08-CR-62 (CAR)

DAVID LEE EVANS,

Defendant

VIOLATIONS: DRUG RELATED

ORDER

The above-named defendant this day appeared before the undersigned for an **INITIAL APPEARANCE HEARING** pursuant to provisions of Rule 5 of the Federal Rules of Criminal Procedure. At said hearing, the court determined that the defendant is currently under a sentence of incarceration from the U. S. District Court for the Southern District of West Virginia, and that release from federal custody on parole or otherwise is not anticipated in the near future. Thus, release from custody in the above-styled case appears to be a moot issue.

Accordingly, the court will HOLD IN ABEYANCE any consideration of release of this defendant from custody in this case under the Bail Reform Act of 1984 until such time as he is released from custody on the Southern District of West Virginia conviction. Counsel for the government and for the defendant are directed to immediately advise the court of any such release; in that event, the defendant shall be brought before this court FORTHWITH for consideration of his release from custody in the above-captioned case under the Bail Reform Act of 1984. In the meantime, he shall remain in the custody of the U. S. Marshal.

SO ORDERED, this 28th day of APRIL, 2009.



CLAUDE W. HICKS, JR.
UNITED STATES MAGISTRATE JUDGE